

Message Text

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C O N F I D E N T I A L TEGUCIGALPA 1462

E.O. 11652: GDS

TAGS: SHUM, HO
SUBJECT: HUMAN RIGHTS SITUATION IN HONDURAS

REF: (A) TEGUCIGALPA 1406, (B) TEGUCIGALPA 1407

BEGIN SUMMARY. THE MILITARY REGIME GOVERNING HONDURAS CAME TO POWER IN DECEMBER, 1972; IT HAS NOT ENGAGED IN ACTIVITIES INVOLVING DENIAL OF HUMAN RIGHTS DURING THE INTERVENING PERIOD. THERE ARE NO POLITICAL PRISONERS AND THE PEOPLE ENJOY THE BASIC FREEDOMS OF OPINION, RELIGION, EXPRESSION AND ASSOCIATION. THE HOLDING OF ELECTIONS IN 1979 WOULD EXTEND AND HELP GUARANTEE HUMAN RIGHTS. END SUMMARY.

1. THE PRESENT HONDURAN MILITARY REGIME CAME TO POWER FOLLOWING A COUP IN DECEMBER, 1972 AGAINST A CONSTITUTIONAL GOVERNMENT. BRIGADIER GENERAL JUAN MELGAR CASTRO BECAME CHIEF OF STATE IN APRIL, 1975. THE REGIME HAS NOT ENGAGED IN ACTIVITIES THAT HAVE RESULTED IN THE DENIAL OF HUMAN RIGHTS.

2. THE CONSITITUTION REMAINS IN EFFECT UNLESS ITS PROVISIONS ARE SPECIFICALLY SET ASIDE BY A DECREE SIGNED BY THE CHIEF OF STATE AND ALL MEMBERS OF THE CABINET OF MINISTERS. AS OF
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THIS DATE, NO PROVISION HAS BEEN SUSPENDED BY SUCH ACTION. THE CONSTITUTION CONTAINS RPROVISIONS GUARANTEEING MOST OF THE RIGHTS STATED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS.

3. THE JUDICIAL SYSTEM CONTINUES TO FUNCTION AS IT DID UNDER CONSTITUTIONAL REGIMES. ALTHOUGH THE HONDURAN SYSTEM IS NOT

AS EFFECTIVE AS THE SYSTEMS IN THE DEVELOPED DEMOCRACIES, ITS FAILURES ARE THE RESULT OF HISTORICAL, CULTURAL AND SOCIAL FACTORS RATHER THAN OFFICIAL POLICY. THE CHIEF JUSTICE OF THE SUPREME COURT, GALEANO MADRID, IS ATTEMPTING TO REFORM THE ADMINISTRATION OF THE SYSTEM SO THAT IT CAN DEAL MORE ADEQUATELY WITH CIVIL AND CRIMINAL CASES.

4. THERE ARE NO POLITICAL PRISONERS, NO EXILES AND NO TORTURE. IN GENERAL, THE HONDURAN PEOPLE ENJOY THE BASIC RIGHTS OF FREEDOM OF OPINION, RELIGION, EXPRESSION AND ASSOCIATION. THE PRESS IS FREE TO CRITICIZE THE GOVERNMENT AND DOES NO ON A VARIETY OF ISSUES.

5. THE CONGRESS WAS SUSPENDED IN 1972 AND REMAINS SO AT THIS TIME. HOWEVER, THE GOVERNMENT HAS SET UP A NATIONAL ADVISORY COUNCIL WHICH GIVES ADVICE TO THE GOVERNMENT ON VARIOUS ISSUES. THE POLITICAL PARTIES ARE FORBIDDEN TO HOLD PULBLIC DEMONSTRATIONS, BUT THEY ARE PERMITTED TO CONDUCT INTERNAL ELECTIONS AND TO PUBLICIZE THEIR OFTEN CRITICAL DECLARATIONS. RECENT PARTY CONVENTIONS RECEIVED WIDESPREAD PUBLICITY.

6. THE NATIONAL ADVISORY COUNCIL IS ALSO ENGAGED IN DEVELOPING AN ELECTORAL LAW AS A FRAMEWORK FOR ELECTIONS IN 1979. THE CHIEF OF STATE HAS STATED ON SEVERAL OCCASIONS THAT ELECTIONS WOULD BE HELD IN 1979 AND IT IS CLEAR THAT THIS HAS BEEN APPROVED BY THE SUPERIORDEFENSE COUNCIL, THE FINAL POLITICAL ARBITER IN THE COUNTRY. MINISTER OF GOVERNMENT FLORES GUERRA HAS ALSO STATED THAT ELECTIONS WILL BE HELD IN 1979. THE CONFIDENTIAL

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HOLDING OF ELECTIONS WOULD EXTEND AND HELP GUARANTEE HUMAN RIGHTS IN HONDURAS.
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